

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

NAUTILUS INSURANCE COMPANY,) Case No.: 2:22-cv-1307-RMG
)
)
Petitioner,) **DEFENDANT PALMETTO**
) **STATE BANK'S REPLY**
vs.) **TO NAUTILUS RESPONSE**
) **TO PALMETTO STATE BANK'S**
) **MOTION TO FILE PORTIONS**
) **OF MOTION FOR SUMMARY**
) **JUDGMENT UNDER SEAL**
)
RICHARD ALEXANDER MURDAUGH, SR.,)
CORY FLEMING, MOSS & KUHN, P.A., CHAD)
WESTENDORF, PALMETTO STATE BANK,)
and THE UNITED STATES OF AMERICA,)
)
)
Respondents.)

On July 21, 2023, the Defendant Palmetto State Bank (“PSB”) filed a Motion for Summary Judgment with Incorporated Memorandum (See ECF Entry No. 131) and a Motion to File Portions of Motion for Summary Judgment Under Seal. (See ECF Entry No. 130). Exhibit 3 to the Motion for Summary Judgment consists of two documents that were marked “CONFIDENTIAL” prior to being produced to PSB, so out of an abundance of caution PSB filed the Motion to Seal. PSB filed redacted versions of the Motion for Summary Judgment and Exhibit 3. Unredacted versions of the Motion and Exhibit 3 were submitted directly to chambers for *in camera* review.

On August 4, 2023, Nautilus Insurance Company (“Nautilus”) filed its Response to the Motion to Seal. (See ECF Entry. No. 141). Nautilus attached redacted versions of the documents comprising Exhibit 3 to the Motion for Summary Judgment. Nautilus asserts that this version of Exhibit 3 is acceptable and the entire documents do not need to be filed under seal. It further seems, then, that Nautilus consents to the filing of an unredacted version of the Motion for Summary Judgment.

While PSB wishes to reserve its rights regarding the larger issue of redaction of future documents and whether privilege does or does not require protection of those documents, at this point in time PSB has no objection to the redacted version of Exhibit 3 agreed to by Nautilus being substituted and maintained as Exhibit 3 to the Motion for Summary Judgment.

With that reservation, PSB proposes this Court enter an order indicating resolution of the Motion to File Portions of Motion for Summary Judgment Under Seal, ECF Entry No. 130, as follows:

1. PSB shall file an unredacted version of PSB's Motion for Summary Judgment with Incorporated Memorandum with the Clerk of Court. This version shall be maintained in the public docket of this case.
2. PSB shall file Exhibit 3 as redacted by Nautilus with the Clerk of Court. This version shall be maintained in the public docket of this case.

Respectfully submitted,

/s/ Thomas P. Gressette, Jr.

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ATTORNEYS FOR PALMETTO STATE BANK

August 11, 2023
Charleston, South Carolina